



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

TDG:CSK

*271 Cadman Plaza East  
Brooklyn, New York 11201  
July 6, 2018*

**BY ECF**

Honorable Kiyo A. Matsumoto  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, N.Y. 11201

Re: Lovell v. United States, et. al.  
Civil Docket No. 17-0442

Dear Magistrate Judge Matsumoto

I write, with plaintiffs' consent, to request that the time for all defendants in this action other than the John Doe defendants to answer or otherwise move with respect to the complaint be extended until August 31, 2018.<sup>1</sup> In this Bivens/ Federal Tort Claim Act action, plaintiff has named as defendants, inter. alia., the United States and United States Customs and Border Protection Officers Munoz and Parker. As this Court is aware, this office cannot represent individual employees of the United States unless and until those employees

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<sup>1</sup> There are three John Doe defendants named in the complaint. The Department of Justice, pursuant to policy, will not represent unnamed individuals unless and until they are specifically identified and personally served. However, the defenses presented on behalf of the defendants who are presently represented by this Office will also apply to the John Doe Defendants. Thus, the fact that this Office does not, at present, represent the John Doe Defendants will not cause any delays in this litigation.

request representation from the Department of Justice in Washington, D.C. and the Department of Justice grants that request. Requests to represent federal employees can sometimes take some time to be acted upon.

It was only two business days ago that the requests of Officers Munoz and Parker for representation by this office were approved by the Department of Justice. In light of my workload, I will need until August 31, 2018 to answer or otherwise move with respect to all non-John Doe defendants. I have contacted plaintiff's counsel who has graciously advised that plaintiff consents to the United States' request for this adjournment. Accordingly, I request, on consent, that the time for all defendants other than the John Doe defendants to answer or otherwise move with respect to the complaint be extended until August 31, 2018. I further request that any motion in response to the complaint will be deemed timely, if, pursuant to this Court's local rules, a pre-motion conference letter describing the motion and requesting permission to make the motion is filed by August 31, 2018.

Thank you for your attention.

Respectfully submitted,

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